

Appln No. 10/760195  
Amdt. Dated: November 15, 2006  
Response to Office Action of August 31, 2006

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### **REMARKS/ARGUMENTS**

Applicant thanks Examiner for the detailed Office Action dated August 31, 2006. In response to the issues raised, the Applicant offers the following submissions and amendments.

#### **Amendments**

Claim 12 has been amended to provide an explicit definition as to the restorative force generated when a resilient body is elastically deformed.

Accordingly, the amendments do not add any new matter.

#### **Claim 12 – Antecedent**

As discussed above, claim 12 has been amended to explicitly define that the elastic deformation of the resilient body causes an opposing restorative force as the body tries to return to its quiescent configuration. We submit that a restorative force is inherent to any resilient body subjected to deformation and therefore the term has an implicit antecedent. However, in the interests of expediting prosecution, albeit at the expense of claim conciseness, claim 12 now defines the resilient member to have the ability to resist deformation with a restorative force.

#### **35 U.S.C. §103**

Claims 6 to 9 and 12 stand rejected as obvious in light of US 1,880,354 to Mueller in view of US 6,120,138 to Xiao et al.

The combined disclosures of the cited references do not teach all the elements of amended claim 12. Claim 12 requires the resilient member to engage the housing and the deformable container. The spring in Mueller does not engage the bellows and Xiao does not have a deformable container. It is clear from Fig 3 of Mueller that the spring, and indeed the piston, do not engage the deformable container. The trigger actuated latch holds the piston clear of the bellows. Hence, when the piston is moved a maximum distance relative to the barrel, the spring's restorative force is not acting against the bellows.

In the present invention, having the first portion act on the deformable container only via the resilient member is crucial to its ability to limit any force on the deformable container to a predetermined maximum, regardless of the force that the user applies to the first portion.

Accordingly, the combined disclosures of Mueller and Xiao do not teach the combination of elements defined in amended claim 12. It follows that claim 12 and dependent claims 6 to 9 are not obvious in view of the cited references.

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**Conclusion**

It is respectfully submitted that the Examiner's rejections have been successfully traversed and the application is now in condition for allowance. Accordingly, favorable reconsideration of the application is courteously solicited.

Very respectfully,

Applicant/s:



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